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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

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ENERGY & ENVIRONMENTAL  
INTERNATIONAL, L.C., *et al.*,

Plaintiffs,

*versus*

CONOCO, INC., *et al.*,

Defendants.

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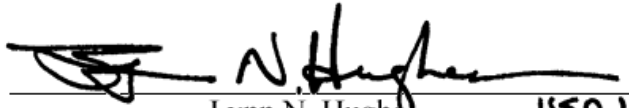
CIVIL ACTION H-03-206

### Opinion on Dismissal

Had Conoco's patent-infringement claim been unwarranted on its face, the case never would have gone to trial. The \$9-million judgment substantiates Conoco's argument that its claim was neither objectively baseless nor subjectively motivated by a desire to impede competition, except, of course, as allowed by the patent laws.

For these reasons, Energy & Environmental International's suit against Conoco for antitrust violations will be dismissed.

Signed June 22, 2005, at Houston, Texas.

  
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Lynn N. Hughes  
United States District Judge

USDS